

Exhibit 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

JOHN DOE and JANE DOE,

Plaintiffs,

v.

JOSHUA MAST, *et al.*,

Defendants.

Case No. 3:22-cv-49-NKM-JCH

**DECLARATION OF MAYA M. ECKSTEIN IN SUPPORT OF PLAINTIFFS' MOTION
FOR ATTORNEYS' FEES AND EXPENSES**

My name is Maya M. Eckstein. I make this declaration on personal knowledge and in support of Plaintiffs John and Jane Doe's motion for attorneys' fees and expenses.

1. I am an attorney in good standing licensed to practice in the Commonwealth of Virginia. I am a partner in the Richmond office of Hunton Andrews Kurth LLP ("Hunton"), where I have practiced since 1997 (with the exception of one year spent in a judicial clerkship). My practice focuses primarily on complex litigation.

2. I am the partner in charge of Hunton's representation of Plaintiffs John and Jane Doe in this lawsuit. I have been in charge of that representation since its inception.

3. Hunton represents Plaintiffs pro bono.

4. The Hunton attorneys and paralegals who have worked on the representation, like all of our lawyers and paralegals across our law firm, were required to keep, and to the best of my knowledge and belief have kept, contemporaneous time records that were entered into the computerized time keeping system that Hunton maintains and on which we rely when preparing bills sent to our paying clients. They recorded time in quarter hour increments.

Preparation of Plaintiffs' Fee Application

5. To prepare Plaintiffs' fee application, I reviewed the relevant time entries of all Hunton attorneys and paralegals who worked on this matter.

6. I identified and excluded from Plaintiffs' fee application time entries unrelated to Joshua and Stephanie Mast's failure to obey this Court's November 28, 2023 Discovery Order.

7. I also excluded entries by any attorney who billed five or fewer hours on this matter.

8. The names and time entries for Hunton attorneys that I identified for inclusion in Plaintiffs' fee application are provided in the spreadsheet appended to my Declaration as Exhibit A. Four attorneys (two partners, one counsel, and one associate) have time entries in that exhibit.

9. The names and time entries for Hunton paralegals that I identified for inclusion in Plaintiffs' fee application are also provided in the spreadsheet. Two paralegals have time entries in Exhibit A.

10. I have reviewed the time entries in the spreadsheet and affirm that they are reasonable to include in Plaintiffs' fee application.

Attorney Hours

11. Based on my experience litigating complex civil cases, the number of attorneys assigned to this case was reasonable, necessary to meet the needs of the case, and consistent with the staffing by this and other firms in other complex cases in which I have been involved.

12. The number of hours the Hunton attorneys and paralegals worked in this lawsuit is also reasonable based on my experience.

13. The allocation of work among Hunton attorneys was also reasonable in my opinion. I endeavored to assign work to the most economical timekeeper, subject always to the overriding imperative that the work be done in a timely and efficient manner. In choosing which attorney or paralegal to whom a task should be assigned, I used my judgment, acquired in my more than 25 years of litigation experience.

14. We also coordinated the work of the Hunton team with that of our co-counsel from Latham & Watkins LLP and Elbially Law PLLC. While the Hunton team assumed primary responsibility for handling the briefing and hearing involved in this matter, Latham and Elbially Law performed valuable work on this matter, including collaborating on and reviewing all briefing and providing important input on the arguments to be made at the hearing on May 2, 2024. We are not seeking to recover attorneys' fees for the work of these other two firms.

Hunton's Standard Hourly Rates and The Rates Sought Here

15. Hunton sets its standard hourly rates for its lawyers and paralegals based, among other considerations, on information concerning the prevailing market rates for similar services offered by lawyers of reasonably comparable skill and experience who practice in other large law firms with national practices. The standard hourly rates for the four attorneys whose labors are the subject of our fee application are more than twice the rates we are seeking in the application.

16. The time the Hunton attorneys and paralegals devoted to this case could have been spent in the representation of other clients at our standard rates or rates slightly discounted off of our standard rates.

17. For the purposes of the accompanying motion, however, we have discounted our rates to comport with the rates customarily approved in fee applications in the United States District Court for the Western District of Virginia. We are seeking the following hourly rates for

Paralegal Hours and Rates

18. It is customary practice for lawyers to employ paralegals to support the litigation of large cases such as this one, to provide cost efficient services for clients.

19. Hunton did that here. I called on two paralegals to perform services that it was more cost efficient for them to do. Both of these paralegals have years of experience with complex litigation.

20. In my opinion, it was reasonable to assign paralegals the tasks represented in the billing entries in the spreadsheet. The time they spent also is reasonable in my opinion.

21. The hourly rates that Hunton typically charges for these paralegals' work are more than twice the size of the rates we are seeking in our fee petition, which discounted rates are therefore reasonable in my opinion.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Richmond, Virginia, on July 31, 2024.

By: 
Maya M. Eckstein

Exhibit A

**HUNTON ANDREWS KURTH LLP BILLING RECORDS IN SUPPORT OF
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND EXPENSES¹**

Date	Name	Hours	Amount	Description of Work
1/1/2024	ECKSTEIN	1.0	\$400.00	Review J&S Mast document production
1/2/2024	ECKSTEIN	2.5	\$1,000.00	Draft deficiency letter to J&S Mast
1/3/2024	ECKSTEIN	0.5	\$200.00	Finalize deficiency letter to J&S Mast
1/10/2024	RUIVAL	0.75	\$187.50	Draft motion for sanctions against J&S Mast for failure to follow November 28 court order
1/15/2024	RUIVAL	1.25	\$312.50	Draft motion for sanctions against J&S Mast
1/16/2024	RUIVAL	3.50	\$875.00	Draft motion for sanctions against J&S Mast
1/22/2024	RUIVAL	0.75	\$187.50	Draft response to Michael Francisco's January 8, 2024 letter
1/23/2024	ECKSTEIN	1.50	\$600.00	Review/edit draft motion for sanctions
1/24/2024	RUIVAL	1.50	\$375.00	Review emails from opposing counsel and case law for motion for sanctions against J&S Mast
1/24/2024	RUIVAL	1.75	\$437.50	Edit motion for sanctions
1/24/2024	ECKSTEIN	1.00	\$400.00	Email correspondence re: motion for sanctions and analysis re: same
1/24/2024	POWELL	2.00	\$800.00	Commence work on sanctions brief; confer with Ms. Ruival regarding same

¹ As noted in the Motion and Ms. Eckstein's Declaration, Plaintiffs are seeking the following hourly rates for the four lawyers and two paralegals listed in this spreadsheet: Ms. Eckstein and Mr. Powell (\$400), Mr. Elliker (\$325), Ms. Ruival (\$250), Ms. Hayden and Ms. Rucker (\$150).

1/25/2024	RUIVAL	0.25	\$62.50	Discuss motion for sanctions with Lewis Powell
1/25/2024	RUIVAL	0.50	\$125.00	Edit motion for sanctions
1/25/2024	ECKSTEIN	2.50	\$1,000.00	Review/edit draft sanctions motion
1/25/2024	POWELL	2.00	\$800.00	Continue work on sanctions brief
1/26/2024	RUIVAL	4.75	\$1,187.50	Edit motion for sanctions
1/26/2024	ECKSTEIN	2.50	\$1,000.00	Review/edit draft motion for sanctions; email correspondence re: same
1/26/2024	POWELL	1.50	\$600.00	Further work on sanctions brief; read additional cases
1/28/2024	ECKSTEIN	4.50	\$1,800.00	Review/edit draft sanctions motion
1/29/2024	RUIVAL	2.00	\$500.00	Edit motion for sanctions
1/29/2024	ECKSTEIN	2.00	\$800.00	Review/edit draft motion for sanctions; email correspondence re: same
1/29/2024	POWELL	0.50	\$200.00	Final review of sanctions motion and email regarding same to Ms. Eckstein and Ms. Ruival
1/30/2024	ECKSTEIN	2.00	\$800.00	Review/edit draft motion for sanctions
1/30/2024	RUIVAL	5.75	\$1,437.50	Edit motion for sanctions
1/30/2024	HAYDEN	3.50	\$525.00	Review and prepare exhibits for Motion for Sanctions
1/30/2024	POWELL	1.50	\$600.00	Multiple emails regarding motion for sanctions; final review of motion

1/31/2024	RUIVAL	0.50	\$125.00	Prepare motion for sanctions for filing and ensure all exhibits are property redacted
1/31/2024	RUCKER	2.00	\$300.00	Review, finalize and prepare for electronic submission motion for sanctions with supporting documents, distribute same
2/14/2024	RUIVAL	1.75	\$437.50	Review Masts' response to motion for sanctions and draft reply
2/14/2024	POWELL	1.00	\$400.00	Review J&S Masts Opposition to Motion for Sanctions; multiple emails regarding same
2/16/2024	ELLIKER	0.75	\$243.75	Strategize regarding reply in support of motion for sanctions
2/16/2024	POWELL	0.50	\$200.00	Work on Reply in Support of Motion for Sanctions
2/16/2024	RUIVAL	3.75	\$937.50	Draft reply in support of motion for sanctions
2/17/2024	RUIVAL	6.00	\$1,500.00	Draft reply in support of sanctions
2/18/2024	ECKSTEIN	5.00	\$2,000.00	Review/edit draft reply brief ISO sanctions
2/18/2024	POWELL	1.50	\$600.00	Review and revise Reply in Support of Motion for Sanctions; emails regarding same
2/19/2024	ECKSTEIN	3.50	\$1,400.00	Review/edit draft reply ISO sanctions; confer with Mr. Elliker re: same; confer with Ms. Ruival re: same
2/19/2024	ELLIKER	3.00	\$975.00	Review and revise reply brief in support of motion for sanctions
2/19/2024	RUIVAL	3.00	\$750.00	Draft reply in support of motion for sanctions

2/20/2024	POWELL	1.00	\$400.00	Further work on Reply
2/20/2024	RUIVAL	2.00	\$500.00	Edit reply in support of motion for sanctions against J&S Mast
2/20/2024	HAYDEN	4.50	\$675.00	Review and cite check reply brief in support of sanctions
2/21/2024	RUIVAL	2.75	\$687.50	Edit reply in support of motion for sanctions against J&S Mast
2/21/2024	RUCKER	2.75	\$412.50	Review, prepare and electronically submit reply in support of motion for sanctions with supporting materials, file and distribute same
4/1/2024	ECKSTEIN	2.00	\$800.00	Draft sur-reply in support of motion for sanctions
4/2/2024	RUIVAL	0.50	\$125.00	Edit sur-reply and motion to file sur-reply
4/2/2024	HAYDEN	1.50	\$225.00	Review and file sur reply
4/10/2024	ECKSTEIN	4.00	\$1,600.00	Address issues with J&S Mast's document production
4/15/2024	ECKSTEIN	2.00	\$800.00	Draft deficiency letter to Mr. Francisco regarding document production
4/16/2024	ECKSTEIN	2.50	\$1,000.00	Research evidentiary standard for sanctions hearing
4/21/2024	ECKSTEIN	3.00	\$1,200.00	Prepare for hearing on motion for sanctions
4/22/2024	ECKSTEIN	2.00	\$800.00	Prepare for argument on motion for sanctions
4/27/2024	ECKSTEIN	2.00	\$800.00	Prepare for hearing on motion for sanctions by reviewing briefs and beginning argument outline

4/29/2024	ECKSTEIN	4.00	\$1,600.00	Prepare for May 2 hearing by drafting argument outline
5/1/2024	ECKSTEIN	4.00	\$1,600.00	Prepare for hearing on motion for sanctions
5/2/2024	ECKSTEIN	3.50	\$1,400.00	Prepare for and participate in hearing on motion for sanctions
	Total:	130.0	\$41,706.25	

Name	Total Hours	Total Amounts
ECKSTEIN	57.5	\$ 23,000.00
POWELL	11.5	\$ 4,600.00
ELLIKER	3.75	\$ 1,218.75
RUIVAL	43.00	\$ 10,750.00
HAYDEN	9.5	\$ 1,425.00
RUCKER	4.75	\$ 712.50
Grand Total	130.00	\$ 41,706.25